

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

Brenner, Spiller & Archer
175 Richey Ave
Collingswood, NJ 08107
P: 856-963-5000
F: 856-858-4371
Attorney for Debtor

In Re:

Rischelle White

Case No.: 17-31141

Judge: MBK

Chapter: 13

**NOTICE OF MOTION TO ALLOW LATE PROOF OF CLAIM
FILED BY INTERNAL REVENUE SERVICE**

To: Albert Russo
Chapter 13 Trustee
CN 4853
Trenton, NJ 08691

Department of the Treasury
Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101

PLEASE TAKE NOTICE, that on the 26th day of February, 2019, at 9 o'clock A.M. the undersigned attorney for Debtor, shall make application to this Honorable Court for an Order Allowing the Late Proof of Claim.

PLEASE TAKE FURTHER NOTICE that the undersigned shall rely upon the attached Certification of Andrew Archer, Esq., attorney for debtor, the arguments of counsel and such other and further proofs as may be adduced at the hearing hereof.

PLEASE TAKE FURTHER NOTICE that the moving party believes that no brief is necessary in support of the within application due to the fact that the matter involves no complex issues of law or fact.

PLEASE TAKE FURTHER NOTICE that if you wish to contest the within Motion, you must file opposition with the office of the Clerk of the Bankruptcy Court, and serve the undersigned 7 days in advance of the aforesaid hearing, your responding papers stating with particularly the basis of your opposition to the within motion. A copy of the proposed Order which is sought is enclosed with this motion.

Dated: January 21, 2019

/s/ Andrew Archer
Andrew Archer, Esquire
Attorney for Debtor

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CERTIFICATION IN SUPPORT OF MOTION

I, Andrew Archer, Esquire, of full age, certifies as follows:

1. I am Counsel for the Debtor in the above matter and, as such, I am fully familiar with the facts and circumstances herein.
2. On October 18, 2017, Debtor filed a voluntary petition under Chapter 13 of the United States Bankruptcy Code.
3. The case has been confirmed and the Governmental Bar Date has passed. A proof of claim has been filed by the Internal Revenue Service, albeit after the bar date had passed.
4. There will be no prejudice to the Debtor if the Motion to Allow Filing of the Claim is allowed.

Wherefore, Movant respectfully requests that this Court enter an Order allowing the filing of the late Proof of Claim.

I certify that the foregoing statements made by me are true. I am aware that if any of the statements made by me are willfully false, I am subject to punishment.

Date: January 21, 2019

/s/ Andrew Archer
Andrew Archer, Esq.

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ORDER ALLOWING LATE PROOF OF CLAIM

The relief set forth on the following page, numbered two (2) is hereby **ORDERED**

Upon the motion of Richshelle White to Allow the Late Proof of Claim as hereinafter set forth, and for cause shown, it is

ORDERED that:

The proof of claim filed by INTERNAL REVENUE SERVICE on 4/17/18 as Claim 7-1 is hereby granted approval and able to be paid through a confirmed Chapter 13 plan.